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APR 19 2001 PATENT APPLICATION
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Sim, Gek-Kee
Yang, Shumin
Dreitz, Matthew J.
Wonderling, Ramani S.

Serial No.: 09/451,527

Filed: December 1, 1999

Atty. File No.: IM-2-C2

For: "CANINE AND FELINE
IMMUNOREGULATORY PROTEINS,
NUCLEIC ACID MOLECULES, AND
USES THEREOF"



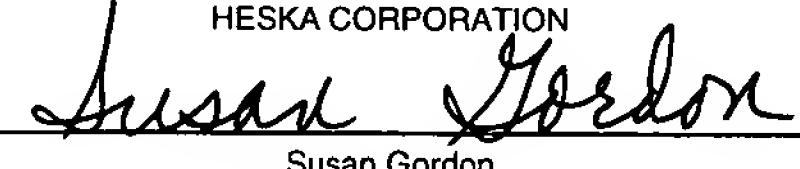
) Group Art-Unit: 1633

APR 19 2001

) Examiner: Kaushal, S.

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RESPONSE TO RESTRICTION
REQUIREMENT

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, ON THIS <u>13</u> DAY OF APRIL 2001.	
HESKA CORPORATION	
By:	 Susan Gordon

Commissioner for Patents
Washington, DC 20231

Dear Sir:

1L-13 In response to the Restriction Requirement dated March 13, 2001, Applicants hereby
elect Group 20, without traverse. Applicants respectfully submit that Group 20 should include
Claim 21 as well as cited Claims 18, 19, 23, 24, 26-28.

Applicants reserve the right to traverse restrictions between the remaining Groups in
subsequent divisional applications. Applicants also reserve the right to file a divisional
application relating to these claims without the necessity of filing a terminal disclaimer.

In any event, if the elected claims of Group 20 are allowable, Applicants reserve their
right to amend the claims of Group 53, which Applicants submit should include Claim 32 rather
than Claim 30, to be commensurate in scope with the product claims of Group 20, and to request
that the claims of Group 53 that depend from or otherwise include all the limitations of the

allowable product be rejoined and examined for patentability. *In re Brouwer*, 37 USPQ2d 1663 (Fed. Cir. 1996); *In re Ochiai*, 37 USPQ2d 1127 (Fed. Cir. 1995).

Should any fees be due with the filing of this paper, please charge deposit account No. 081930.

Respectfully submitted,

Dated: April 13, 2001

Carol Talkington Verser

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